

Message Text

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PAGE 01 STATE 067015
ORIGIN EB-08

INFO OCT-01 ARA-06 ISO-00 FMC-01 L-03 INR-07 SS-15
SP-02 INRE-00 SSO-00 /043 R

DRAFTED BY EB/TCA/MA:CTAYLOR,JR.:EW
APPROVED BY EB/TCA:JWBILLER
ARA/CEN - MPLATT
FMC - RHULL (INFO)

-----252309Z 114504 /42
O 252252Z MAR 77
FM SECSTATE WASHDC
TO AMEMBASSY GUATEMALA IMMEDIATE

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E.O. 11652:N/A

TAGS:PFOR, EWWT, GT

SUBJECT: GUATEMALAN SHIPPING DISCRIMINATION

REF: A) STATE 059477, B) STATE 053881

1. AFTER LOOKING INTO PROBLEMS POSED BY FOREIGN MINISTER MOLINA AS REPORTED REF A, DEPARTMENT REQUESTED THAT FEDERAL MARITIME COMMISSION (FMC) EXTEND ITS DEADLINE FOR INITIATING SECTION 19 ACTION. FMC HAS AGREED TO POSTPONE ISSUANCE OF PROPOSED RULE PURSUANT TO SECTION 19 FOR ONE MONTH BEYOND PREVIOUSLY STATED DATE. AS RESULT FMC AGREEMENT, GUATEMALANS NOW HAVE UNTIL MAY 8 TO IMPLEMENT SATISFACTORY MEASURES.

2. IN LETTER GRANTING DEPARTMENT'S REQUEST FOR POSTPONE-
MENT, FMC CHAIRMAN NOTED THAT QUOTE COMMISSION IS
FIRMLY CONVINCED THAT ANY DELAY BEYOND THAT DATE WOULD
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SERVE NO USEFUL PURPOSE, IN LIGHT OF PRIOR PROCRASTINA-
TION AND UNFULFILLED COMMITMENTS BY THE GUATEMALAN
NEGOTIATORS. UNQUOTE. ACCORDINGLY, COMMISSION HAS
DIRECTED THAT PROPOSED RULE BE FILED WITH FEDERAL REGISTER
ON MAY 9 UNLESS PRIOR TO THAT DATE, GOG AUTHORITIES
IMPLEMENT MEASURES DESIGNED TO ALLOW U.S.-FLAG AND THIRD-
FLAG VESSELS FREE ACCESS TO NOT LESS THAN 80 PERCENT OF

LINER TRADE CARGO, BY TONNAGE AND FREIGHT CHARGES, IN EACH OF THE THREE OCEAN TRADES BETWEEN THE US AND GUATEMALA.

3. FMC URGED THAT USG STRESS TO GOG THAT MAY 8 IS DEADLINE FOR IMPLEMENTATION RPT IMPLEMENTATION AND NOT MERELY FOR AGREEMENT TO IMPLEMENT AT SOME FUTURE DATE.

4. PROPOSED RULE WHICH FMC WILL ISSUE ON MAY 9 IN ABSENCE GOG CORRECTIVE ACTION PROVIDES FOR IMPOSITION OF EQUALIZATION FEE AMOUNTING TO 50 PERCENT OF FREIGHT CHARGES ON ALL GOODS TRANSPORTED FROM US TO GUATEMALA WHICH MAY BE IMPORTED DUTY-FREE UNDER INDUSTRIAL DEVELOPMENT LAWS CITED IN DECREE 41-71 WHEN SUCH GOODS ARE TRANSPORTED ON GUATEMALAN CARRIERS OR ASSOCIATED CARRIERS. THIS FEE IS DESIGNED TO OFFSET PENALTIES IMPOSED UNDER GOG DECREE 41-71 FOR TRANSPORTATION OF SUCH GOODS ON CARRIERS OTHER THAN GUATEMALAN OR ASSOCIATED CARRIERS.

5. AMBASSADOR REQUESTED TO INFORM PRESIDENT OR ACTING FOREIGN MINISTER, AS HE DEEMS APPROPRIATE, OF EXTENSION. AMBASSADOR SHOULD STRESS POINT MADE IN PARA 3 ABOVE AND EMPHASIZE THAT, DESPITE HISTORY OF PAST POSTPONEMENTS OF FMC ACTION, MAY 8 DEADLINE IS FIRM.
VANCE

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Message Attributes

Automatic Decaptioning: X
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Channel Indicators: n/a
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Control Number: n/a
Copy: SINGLE
Sent Date: 25-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition History: n/a
Disposition Reason:
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